

REMARKS

Claims 1 – 13 are currently pending in the application. The Office has rejected claims 1, 2 and 10-13 under § 102 as allegedly being anticipated by USP No. 6,686,931 B1 to Bodnar (Bodnar). The Office has rejected claims 3 – 9 as allegedly being obvious over Bodnar.

By the remarks provided herein, the Applicants traverse all rejections and request continued examination of the application. The Examiner is invited to contact the undersigned representative if the Examiner feels such communication would further prosecution.

SECTION 102 REJECTIONS

Independent claims 1 and 10-13

The Office has rejected independent claims 1 and 10-13 as allegedly being anticipated by Bodnar. Because Bodnar discloses buttons that have the same function regardless of the context, Bodnar fails to anticipate claims 1 and 10-13.

Claim 1

Claim 1 recites, “

*said logical button issuing a first command in a first context; and
said logical button issuing a second command in a second context.*

As best understood, Bodnar is directed to a portable computing device with an interface for navigating user data. (Bodnar: Abstract). Bodnar discloses a “single-click” style of button, i.e. the button is associated with a particular task. As best understood, the buttons of Bodnar do not change their function, or command, from one context to the next. In fact, Bodnar specifically discloses in a preferred embodiment that the buttons “are used to perform their respective tasks, even though the user has navigated to different modules of an application.” (Bodnar: col. 3, lines 52 – 55). Thus, Bodnar is disclosing buttons that have the same, consistent function regardless of the context.

The Office, in the sections of Bodnar, further support this. For example, in both sections of Bodnar relied upon by the Office for support, the Office, in the action, states for both

elements, “forward/backward keys”, which are actually two keys, e.g. one is forward and one is backward. Thus, because Bodnar specifically discloses that the function of a button remains constant regardless of the context. Thus, Bodnar fails to anticipate a logical button issuing different commands in different contexts, as recited in claim 1.

Without disclaimer or prejudice, claim 1 has been amended to include the recitations of claim 2, for purposes of clarity. Claim 2 has therefore been canceled.

The Applicants respectfully assert that Bodnar fails to anticipate the recitations of claim

1. The Applicants request that the Office reconsider and withdraw the rejection to claim 1.

Independent claims 10-13

Claim 11 has been amended, without disclaimer or prejudice, in the manner shown above. For at least the reasons stated above with regards to claim 1, Bodnar also fails to anticipate claims 10-13. The Applicants request that the Office reconsider and withdraw the rejections to claims 10-13.

Dependent claim 2

By reason of its dependence upon an allowable base claim, it follows that dependent claim 2 is also allowable. The Applicants request that the Office reconsider and withdraw the rejection to claim 2.

Dependent claims 3-9

By reason of their dependence upon an allowable base claim, it follows that dependent claims 3-9 are also allowable. Further, Bodnar specifically teaches away from the combination of claims 3 – 9. As shown above, Bodnar discloses buttons that are designed to be consistent from one context to the next. (Bodnar: col. 3, lines 52 – 55). Therefore, because Bodnar teaches away from the recited combination of the base claim, independent claim 1, it follows that Bodnar fails to render the dependent claims obvious.

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Additionally, the Applicants note that only Bodnar was cited as a reference in the Section 103 rejection. The Applicants assert that the Office has failed to allege a prima facie case of obviousness.

The Applicants request that the Office reconsider and withdraw the rejections to claims 3-9.

CONCLUSION

By the remarks provided herein, the Applicants respectfully submit that the Office Action mailed May 20, 2008 has been traversed and that the application is in condition for allowance. If the Examiner has any concerns regarding the response provided herein, or wishes to discuss the response further, the Examiner is invited to contact the undersigned attorney.

Respectfully submitted,

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/Robert A. Madayag/
Robert Madayag
Registration No. 57,355

Woodcock Washburn LLP
Cira Centre
2929 Arch Street, 12th Floor
Philadelphia, PA 19104-2891
Telephone: (215) 568-3100
Facsimile: (215) 568-3439